

The Crittenden Press.

VOLUME 22.

MARION, CRITTENDEN COUNTY, KENTUCKY, AUGUST 16, 1900.

NO 10

THE COW-BOYS ACQUITTED

Of The Murder of Claud Wheeler
At The Examining Trial
Last Saturday.

ATTENDED BY LARGE CROWDS

The Evidence Introduced Fails To Identify The Assassin.

Eli McGregor, M. Heffner and Claude Morton were arrested in Princeton and brought here Sunday morning, charged with the murder of Claude Wheeler, an account of which was published in the Press last week. These men were connected with Buckskin Bill's Wild West show, which exhibited here August 3. They were three of a company of fifteen or twenty cow-boys, or rough riders, and were with the show on the night Claude Wheeler was killed, Jimmie Terrell, a fifteen year old boy, was also arrested and brought here, charged with the same offense, but was released without going to jail. The examining trial was held Friday and Saturday before Judge Rochester. A large number of witnesses were brought up by the prosecution, some of whose testimony is given below. No witnesses were introduced for the defense. After hearing the evidence Judge Rochester ruled that as no witness had identified the prisoners as participants in the killing that they were discharged.

Ed. Doss' Testimony—I work in the telegraph office at the depot. I was in the office when the trouble came up. The first shot attracted my attention. I turned around and saw a man dressed as a rough-rider cross the railroad to the platform in front of the railroad office with a pistol. One man cried out, "Come, we are going to be attacked." Then I got back into the office and lay down on the floor. I heard seven or eight shots fired. I did not see Claud Wheeler. There was a big crowd and they seemed to be rushing toward the depot; I saw pistols; the man had on a cowboy hat; I could not identify him; I could not tell how many were shooting but could hear the shots; I could not tell who they were shooting at; I did not see them hit Claud. After the shooting I first saw Claud in front of Mr. Robertson's; in seven or eight minutes father came down to the depot, came into the office and said that they had killed Claud. He went out where the cow-boys were and when I got out there he was gone. Yes, I saw the cow-boy's pistol and heard one fellow remark, "There goes the d—s—b—". Just after the shooting I saw a man walk up to another man and ask if he was hurt. The man said he was; he was a spare made man; he was wounded in the neck; he said, "They have wounded Kenny." It must have been ten minutes after the killing. The killing occurred on the night of Aug. 3d. in Crittenden county, Ky.

Cross-Examined.

The man who was shot had long hair.

Yes, I saw Claud before the shooting; he was in Taylor's saloon; I saw him at the depot ten minutes later; I could not tell what his condition was, though I think he was drinking some, but not to excess.

I could not tell whether the man who fired the shot had long hair or not; there seemed to be a good

many men there; I could not say whether these prisoners fired a shot at Claud Wheeler or not.

Mr. Burch's Testimony—I live in the town of Marion; was at the depot on the night Claud Wheeler was killed; I saw the shooting; I could not say who was shot; could not tell how many were taking part in the shooting; there were several there who had on white hats; I did not see Claud Wheeler and did not see any licks.

I went down there about twenty minutes after the show performances were over. Saw a crowd of six cow-boys and one Indian; tall and had on a white hat; they walked past me; that was about thirty minutes after the killing; I stayed down there until after the show train pulled out.

I saw cow-boys pass back; yes, I could identify the cow-boy that passed back; they passed me walking rapidly, going down the railroad; could not say how far they went; heard a conversation about the cartridges; he was speaking to about 25 persons; I do not remember to have seen these prisoners in the crowd. He had on a black coat and carried a cane; he got out of the light to issue the ammunition; I could not identify the man and do not know whether he was connected with the shooting or not, but I suppose he was.

Cross-Examined.

No, sir, I could not say these men (the prisoners) are the ones who did the shooting; the first time I saw them they were walking south toward the show ground—I mean north—they were going north towards the show grounds; it was about thirty minutes before the shooting occurred. I do not know when Claud Wheeler left town.

M. M. Chandler's Testimony—I did not see Claud Wheeler, as I was down at the show ground. I saw a number of fellows, eight or ten, but could not say whether they were cow-boys or not; they were going towards the fair grounds and were walking rapidly, and they seemed to be talking about something; I do not know what sort of hats these men had on; I could hear the rattling of spurs. It was after the show that I saw them passing the mill.

Jim Wilborn's Testimony—I was down at the depot at the time of Claud Wheeler's death; I saw a number of cow-boys; they were walking fast and my attention was first called to them by the rattling of spurs; they were gone a quarter of an hour; I could not say how many there were but there were two Indians and the others were cow-boys; I saw them going back in a about a quarter of an hour—they were going back when I last saw them; I could not say where they went, but it was up the railroad; I saw a part of the shooting; I saw it was cow-boys shooting, but I could not tell who they were shooting at. There must have been three or four cow-boys at first but there were more afterwards. It must have been about fifteen feet from the platform. They were firing very rapidly but I could not tell whom they were shooting at; I heard a striking as with a club; they ran around the wagon to head him off; I did not hear any licks before the shooting; I don't know how many licks were given. I next saw Claud Wheeler near Mr. Robinson's. I could not tell who fired the first shot; the first shot sounded like the ones fired in the show but could not tell whether they were fired from the ground or not;

I was just crossing the track from them; I could not say there were anybody else, they looked like cow-boys.

Cross-Examination.

I could not tell whether they were blank cartridges or not that were fired in the show.

I would take the crowd to be about six as they passed the depot going south; it was before Claud Wheeler was killed; he came up to Jim McCormick and said: "These cow-boys ought to be punished; they ought to be identified" I tried to get him to go home but he pulled loose from us; I still coaxed him to leave; I believed he was armed; I do not remember hearing him say he was going to have cow-boy blood.

Thomas Morgan's Testimony—I was down at the depot when the trouble occurred, or just south of the depot. There was a big crowd there; I saw cow-boys after the shooting was over—three or four; one of them said he was shot in the neck; he was telling a fellow dressed in cow-boy robes; There were three or four cow-boys standing around; I stayed about five minutes after it was over; I had been down there about half an hour before the shooting took place; I saw some cow-boys going towards the mill, eight or nine in the crowd; it was about three-quarters of an hour before the shooting occurred; they came back to the depot; it had not been over five minutes, I suppose, then one Indian went north of the railroad; there were three or four down at the other end. I could not tell how many were in the shooting or how many shots were fired; I did not hear any licks struck; I was at the show that night; the shots that killed Claud Wheeler sounded like the ones I heard in the show; I did not hear any threats, I did not see any Indians about the wagon; I saw the flash of a pistol, but do not know who were shooting them and do not know whether they were cow-boys or not.

Cross-Examination

I do not recognize these men as being the ones who were there that night. They had on broad brimmed hats; I do not know any of the parties who took part in the shooting. I heard one man say, "I am shot in the neck—in the back of the neck"; he had long hair and a goatee and mustache; I could not tell how far it is from the depot to the sleeping car; I saw some men going toward the show ground and coming back. They were dressed in different suits and all wore wide, and broad brimmed hats and had guns.

Jimmie Terrell's Testimony—I was in bed asleep on the night of the killing; the ones who came to me were Kenny McDowell, Dan McKenny, Smith and Stone. I do not know where these men (the prisoners) were at that time; they were not in the crowd.

Cross-Examination.

Yes, sir, they had me arrested, charged with murder. I live in Paducah; I do not sleep with these men; these men (the prisoners) were at the show.

Re-Direct Examination.

The lawyers talked to me on the morning of the trial. Mr. James asked me where I was that day; he did not talk to me about what I would testify; I do not know whether the sheriff turned me over to you or not; they did not put me in jail; I was permitted to go home after I got here.

Dr. Joe Clark's Testimony—I was not at the depot when the trouble occurred, was in the country; I saw one of these men, the one sitting in the middle. There were three or four of them. (Here the witness pointed out the one he identified as being in the crowd). I was talking with Mr. Terrell and these men walked down the road; I asked, "What is the matter with those fellows?" As they came back one of them—the one sitting there in the middle—said: "I know the G—d—s—b—, we will settle with him tonight." They were all cow-boys and had on belts. They were doing a good deal of talking; he had a sandy mustache; it was just after the show, and Claud had just left there; he had my pistol; let Claud have it that night; I had been in the country and Claud came to me and said he wanted my pistol. I said, "If you are in any trouble you can not

get my pistol." He did not seem to be drinking. I have not seen the pistol since Claud was killed. I have been practicing medicine five years. Claud could not have walked from where he was shot to Mr. Robinson's.

The testimony of Dave Morgan, Geo. Bettis, Will Ward, Dick Spurr and S. C. Stevens threw but little additional light on the killing; while that of A. J. Sweat, Catharine Blue, Gus Summerville and Curg Travis was published substantially in last week's Press.

THE STOCK LAW.

Some Expressions as to Enacting it in This County.

ED. PRESS.—I am glad to note that my fellow-farmers and countrymen are in my opinion awakening to their best interest in advocating the stock law, and what will benefit one farmer will equally help the other. The stock law will not prevent any one from raising stock, the same that he does today, but I will say that he will materially improve the quality of the stock, which will insure better prices and at less expense to everybody concerned, to say nothing of the great saving, there would be in labor and material and the disgraceful appearance of badly grown up and neglected fence corners which really are of no earthly benefit, but instead a useless expense in the majority of cases. Should my farmer friends travel through their neighbor states they could not help to note with pride and approval the splendid appearance of the country where the stock law is in force and why not profit by their example and remove all unnecessary fencing and raise something in its stead that will benefit us and improve our land.

Sincerely yours,
W. R. Cruce.

Opposed the Stock Law.

ED. PRESS: I desire to state through the columns of your paper that I am opposed to the stock law, and have my doubts about the majority of the farmers of Hurricane precinct being in favor of it.

I have talked to four farmers of Illinois concerning the law, and three of them are opposed to it. It is a State law there and does not give satisfaction, and we could not expect it to give satisfaction by having it enacted in one or two precincts in the county. You have a stock law in Marion and I observe it does not give universal satisfaction.

J. J. Thomas.

Favors The Law.

Foster Threlkeld, of Tolu, was in town Saturday, and requested us to announce that he is in favor of the stock law, and that Hurricane is in favor of the law.

An Appreciated Gift.

The editor of the Press is in receipt of a sack of "White Swan" flour manufactured by the City Mills of this place. We must say that finer flour was never made anywhere by any mill. The biscuits are whiter, the cake more delicious, the bread is more palatable since receiving this greatly appreciated gift than before. This brand of flour is a great credit to the Mills and a testimony to the good management; the skill, the thorough understanding of every point of the business, that the makers undoubtedly possess. Capable, experienced and skilled, they are placing the best of flour on the market. However profuse may be our thanks for the gift, they cannot exceed in number or sincerity our honest praises of the trustworthy, enterprising and energetic company that places this excellent product within the reach of our people.

Farm for Sale.

135 acres, 90 cleared, 4 miles from Marion, 2 from Repton; fair improvements, good barn. Will sell at a bargain. Will also sell 1-4 interest in the growing corn and 1-3 interest in tobacco. I also have a house and lot in Marion for sale. House will be completed by Sept. 1.

Sam Hurst,
Marion, Ky.

EIGHT DEATHS.

The Death Angel Visits The Old And Young Alike.

Mrs. Seldon Ainsworth died very suddenly of heart failure, at her home in the Hebron neighborhood, last Monday. She arose early that morning cooked breakfast, and was preparing dinner when the death summons came, and she passed peacefully away. She was an estimable christian lady, and leaves a husband and three children, and numerous relatives and friends to mourn her loss.

Mr. Washington Johnson, an honored citizen, died at his home in the Crooked creek neighborhood Saturday, and the interment took place at the Pilot Knob cemetery Sunday evening, and a large concourse of friends were present to pay the last tribute of respect to this good man. He was 70 years old and had been a resident of this county for fifty years.

Mr. Rufe Threlkeld, of the New Salem neighborhood, died last Monday, after an illness of three weeks. He was 30 years old and had been a resident of New Salem since childhood. He was a member of one of the leading families of the county, and had many friends. The deceased leaves a wife and one child.

Mr. Abraham Millican died at his home in the Levias neighborhood last Saturday, Aug. 11, and was buried at the Pleasant Grove cemetery Sunday. He was in his 70th year and had been a resident of this county for many years. He was an honest, upright gentleman.

A daughter of Mr. Thos. Lynn, of near Crittenden Springs, died last Thursday of brain fever.

A little six year old son of Mr. Willis, residing near Crittenden Springs, died Thursday.

An infant of B. F. Tucker died at their home in this city last Thursday.

"Aunt" Mahala Wilson, colored, died Sunday. She was 88 years old.

THE CLARK AUCTION

Attended by a Large Crowd, but
No Sale was Effected.

A large crowd attended Dr. J. R. Clark's auction sale of building lots in East Marion last Friday. The lots were all bid off, but as they did not bring as much as the owner thought they were worth he refused to confirm the sale. The same is true as to the roller mill and planing mill. The lots were then offered for sale in a body and were knocked down to Mr. J. H. Morse. But this sale was also rejected by Dr. Clark. Mr. Morse was also the highest and best bidder for a one-half interest in the roller mills but the trade was not consummated.

These lots are in the most desirable building location in Marion, and Dr. Clark is not willing to part with them at a sacrifice, but will sell one or all of them at a reasonable price.

Entertainment.

On Thursday evening, Aug. 16, a most instructive and amusing programme will be rendered at the Opera Hall. Miss Kitty Woods, the popular impersonator, has been engaged to give a recital, assisted by Miss Melville Glenn, and under Miss Wood's management a number of the young people have prepared three of the most comical farces, "Per Telephone," "The Bashful Man," and "The Rural Editor," all new farces, each sparkling with fun and comical situations. Every part has been well rehearsed, and a more delightful evening could not be spent.

Protracted Meeting.

Rev. Jas. F. Price, of this place commenced a protracted meeting at Belle Mines yesterday. Mr. Ed Shinnall, of New Middleton, Ind., will conduct the singing.

Council Proceedings.

The City Council held its monthly meeting Tuesday night. The following claims were allowed:

R. C. Walker, printing	\$4.90.
K. E. Cannan, street-work	2.50.
Richie Pickens "	9.00.
W. P. Loyd "	9.50.
John Cochran "	9.00.
Curg Travis "	2.50.
Will Clark, Dept. Marshall	1.50.
R. M. Wilborn "	1.50.
E. C. Miles "	1.00.
A. S. Hard, Jail claim	7.00.
Summerville & Lemon, rock	\$187.45

The committee on health and sanitary requested the city attorney to see that the citizens comply with the ordinance, published in another column.

Notice to Sunday Schools.

You must be sure that you have representation in the State Sunday School convention; and in order to do this you must elect some one that you can confide in and send him, or her. Let each school pledge or give \$1.50 to \$5 to the Sunday School work, and let your representative use enough of this to pay a part of his or her expenses to and from convention.

Yours in the work,
R. M. Franks, Co. Pres.

Notice.

TO THE TAXPAYERS OF CRITTENDEN COUNTY:

I have my tax books for 1900, will take pleasure in receipting you for same. You that owe me for 1898 and 1899, I have waited on you for a long time; will send a man to see each of you for the tax, if not paid will levy; so get ready and save cost. I must collect so as to meet claims that are against me.

John T. Pickens, S. C. C.

Prices Tell!

Potted Ham	5c
Sardines	5c
Baked Beans	10c
Salmon	10c
Canned Ham	10c

Coffee from 12½ to 30c per pound.
10 bars good soap for 25c
6 bars best soap for 25c

MASONS FRUIT JARS!

Pints 60 cts per doz.
Quarts 70 " "
Half Gallon 80 " "
Tin Quart Cans 50 cts.
Water Buckets 15c
Good Wash boards from 15c to 35c.

We handle nothing but good and first class goods. Everything you buy from us is guaranteed to be first class.

We sell everything in the grocery line as cheap or cheaper than any house in town. Look at our tin ware, glassware, stoneware, woodenware and get prices before you buy.

We are here to sell you anything in our line at a bargain. Don't fail to see us.

We still handle all the remedies: Hog Cholera Medicine, Horse and Cattle Powders, Poultry Food and Loose Killer.

Bring us your Produce, Eggs, Butter and Chickens.

HEARIN & SON,

ROYAL BAKING POWDER
ABSOLUTELY PURE
Makes the food more delicious and wholesome